

United States of America

v.

MATTHEW BRENT GOETTSCHE

Defendant

**ORDER SETTING
CONDITIONS OF RELEASE**

Case Number: 19-877

IT IS ORDERED on this 11th day of December, 2020 that the release of the defendant is subject to the following conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change of address and/or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed.

Release on Bond

Bail be fixed at \$ 20,000,000 and the defendant shall be released upon:

- ☐ Executing an unsecured appearance bond ☐ with co-signor(s) _____;
- ☒ Executing a secured appearance bond ☒ with co-signor(s) Jonathan Landerman and Evan Paul Doty, and () depositing in cash in the registry of the Court _____% of the bail fixed; and/or ☒ execute an agreement to forfeit designated property located at the properties below (approximately \$ 8,600,000). Local Criminal Rule 46.1(d)(3) waived by the Court.

2650 Lawrence Court, Lafayette, CO 80026; 80 Rivera Court, Erie, CO 80516; 2990 Pennsylvania Avenue, Boulder, CO 80301; 2855 Blue Sky Circle, Unit 3-103, Erie, CO 80516; 4734 Essex Court, Boulder, CO 80301; 208 7th Street, Dacono, CO 80514; 4381 W. Flamingo Road, Unit 55308, Las Vegas, NV 89103; 2209 Stonehenge Circle, Lafayette, CO 80026; and 22300 U.S. Highway 6, Dillon, CO 8043

Additional Conditions of Release

Upon finding that release by the above methods will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, it is further ordered that the release of the defendant is subject to the condition(s) listed below:

IT IS FURTHER ORDERED that, in addition to the above, the following conditions are imposed:

- ☒ Report to Pretrial Services ("PTS") as directed and advise them immediately of any contact with law enforcement personnel, including but not limited to, any arrest, questioning or traffic stop.
- ☐ The defendant shall not attempt to influence, intimidate, or injure any juror or judicial officer; not tamper with any witness, victim, or informant; not retaliate against any witness, victim or informant in this case.
- ☒ The defendant shall be released into the third party custody of Danielle Goettsche and Victoria Landerman

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Custodian Signature: s/Danielle Goettsche; s/Victoria Landerman Date: 12/11/2020

- ☐ The defendant's travel is restricted to ☐ New Jersey ☐ Other _____
☐ unless approved by Pretrial Services (PTS).
- ☒ Surrender all passports and travel documents to PTS. Do not apply for new travel documents.
- ☒ Substance abuse testing and/or treatment as directed by PTS. Refrain from obstructing or tampering with substance abuse testing procedures/equipment.
- ☒ Refrain from possessing a firearm, destructive device, or other dangerous weapons. All firearms in any home in which the defendant resides shall be removed within 24 hours and verification provided to PTS. The defendant shall also surrender all firearm purchaser's identification cards and permits to PTS.
- ☐ Mental health testing/treatment as directed by PTS.
- ☐ The defendant is prohibited from employment at any location
- ☐ Maintain current residence or a residence approved by PTS.
- ☐ Maintain or actively seek employment and/or commence an education program.
- ☐ No contact with minors unless in the presence of a parent or guardian who is aware of the present offense.
- ☒ Have no contact with the following individuals: all contact, direct, or indirect, with any person who is or may become a victim or potential witness in the subject investigation or prosecution
- ☒ No contact with codefendants and/or co-conspirators unless in the presence of counsel
- ☒ Defendant is to participate in one of the following home confinement program components and abide by all the requirements of the program which ☒ will or ☐ will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
- ☐ (i) Curfew. You are restricted to your residence every day ☐ from _____ to _____, or ☐ as directed by the pretrial services office or supervising officer; or
- ☐ (ii) Home Detention. You are restricted to your residence at all times except for the following: education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer. Additionally, employment ☐ is permitted ☐ is not permitted.
- ☒ (iii) Home Incarceration. You are restricted to your residence under 24 hour lock-down except for medical necessities and court appearances, or other activities specifically approved by the court.
- ☐ Defendant is subject to the following computer/internet restrictions which may include manual inspection and/or the installation of computer monitoring software, as deemed appropriate by Pretrial Services. The defendant shall pay all or part of the cost of the monitoring software based upon their ability to pay, as determined by the pretrial services office or supervising officer.
- ☐ (i) No Computers - defendant is prohibited from possession and/or use of computers or _____ connected devices.
- ☐ (ii) Computer - No Internet Access: defendant is permitted use of computers or connected _____ devices, but is not permitted access to the Internet (World Wide Web, FTP Sites, IRC _____ Servers, Instant Messaging, etc);
- ☐ (iii) Computer With Internet Access: defendant is permitted use of computers or connected devices, and is permitted access to the Internet (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc.) for legitimate and necessary purposes pre-approved by Pretrial Services at [] home [] for employment purposes.
- ☐ (iv) Consent of Other Residents -by consent of other residents in the home, any computers in the home utilized by other residents shall be approved by Pretrial Services, password protected by a third party custodian approved by Pretrial Services, and subject to inspection for compliance by Pretrial Services.
- ☒ All funds from rental properties must be placed in an escrow account
- ☒ For the purpose of Location Monitoring, the defendant shall install a land line telephone in his residence within 10 days of release, unless waived by Pretrial Services
- ☒ The defendant shall remain in the presence of a third-party custodian at all times, unless otherwise approved by Pretrial Services
- ☒ The defendant is prohibited from internet access and the possession and/or use of computers or connected devices at any location, unless in the presence of counsel
- ☒ The defendant may not possess any cellular telephone without the prior approval of Pretrial Services who may regulate its provider and capabilities
- ☒ Any cellphones possessed by a third-party custodian must be password protected and subject to search for compliance by Pretrial Services
- ☒ The defendant hereby consents to Pretrial Services' use of electronic detection devices to evaluate the defendant's access to wi-fi connections
- ☒ The defendant will surrender his spouse's and three minor children's passports/travel documents. Do not apply for any new travel documents
- ☒ The defendant and his wife will advise pretrial services before engaging in any financial transactions in an amount over \$5,000 a month.
- ☒ The defendant shall not be released until Pretrial Services is provided with a travel itinerary and at least one third-party custodian arrives in New Jersey to accompany the defendant to Colorado; and, any subsequent travel requires itineraries be provided to Pretrial Services for prior approval.
- ☒ The defendant will remain detained until verification has been provided to Pretrial Services of the surrendering of all passports/travel documents, and lien perfections against the proposed properties.
- ☒ Upon the conclusion of any conferences with counsel on any internet connected device, counsel shall immediately inform the third party custodian and Pretrial Services to ensure that the conference has concluded
- ☐

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

s/Matthew Brent Goettsche

Defendant's Signature

City and State

Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processing on 12/18/2020.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 12/11/2020 _____

s/Michael A. Hammer

Judicial Officer's Signature

Hon. Michael A. Hammer, USMJ

Printed Name and Title